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Attorneys for all Plaintiffs, individually
 and on behalf of all those similarly situated,
 in the related case *Marti et al. v. Office of the
 Commissioner of Baseball et al.*, Case No. 3:14-cv-03289-RS

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

AARON SENNE, et al., Individually and on
 Behalf of All Those Similarly Situated,

Plaintiffs,

v.

OFFICE OF THE COMMISSIONER OF
 BASEBALL, an unincorporated association
 doing business as MAJOR LEAGUE
 BASEBALL, et al.,

Defendants.

) **Case No. 3:14-cv-00608-RS**

) **CLASS ACTION**

) **MARTI PLAINTIFFS' OPPOSITION**
) **TO RE-NOTICED MOTION OF**
) **SENNE PLAINTIFFS' COUNSEL**
) **FOR APPOINTMENT OF INTERIM**
) **CO-LEAD CLASS COUNSEL**

) **Date: September 11, 2014**
) **Time: 1:30 p.m.**
) **Crtrm: 3 – 17th Floor**

LAW OFFICES
 SAMUEL KORNHAUSER
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1 The *Marti* Plaintiffs (without waiving their opposition to the motion of plaintiffs'
2 counsel in *Senne, et al. v. Office of the Commissioner of Baseball, et al.*, Case No. 3:14-cv-
3 00608-RS, to consolidate that action with the case of *Marti, et al. v. Office of the Commissioner*
4 *of Baseball, et al.*, Case No. 3:14-cv-03289-RS) oppose the appointment of Korein Tillery,
5 LLC and Pearson, Simon & Warshaw, LLP law firms as interim co-lead counsel in the event
6 the *Senne* and *Marti* cases are consolidated. As set forth in the *Marti* Plaintiffs' July 21, 2014
7 Response to Motion for Appointment of Interim Co-Lead Counsel, Docket No. 190, and as set
8 forth in the *Marti* Plaintiffs' Memorandum in Opposition To Consolidate filed September 2,
9 2014, the *Marti* Plaintiffs believe that they and their class of minor league baseball players
10 would be better served and served at less cost by having counsel for the *Marti* Plaintiffs act as
11 interim lead counsel or, at a minimum, as interim co-lead counsel with the Tillery/Pearson
12 firms. As set forth in more detail in the *Marti* Plaintiffs' Memorandum in Opposition To
13 Consolidate, it would be inappropriate and prejudicial to the *Marti* Plaintiffs to consolidate the
14 *Marti* and *Senne* cases or to have the Tillery/Pearson firms appointed as sole interim lead
15 plaintiffs' counsel in both cases since the *Senne* Plaintiffs are not asserting some of the state
16 claims being asserted by the *Marti* Plaintiffs. *Horizon Asset Management Inc. v. H & R Block,*
17 *Inc.* 580 F. 3d 755, 768-769 (8th Cir. 2009).

18 In addition, as set forth in the *Marti* Plaintiffs' July 21, 2014 response (Docket No.
19 190), appointing Law Offices of Samuel Kornhauser and Law Offices of Brian David as
20 interim lead or co-lead counsel with Tillery/Pearson would better ensure that the cases would
21 be prosecuted expeditiously and more efficiently with an eye on minimizing the litigation costs
22 and attorneys' fees and maximizing the recovery for the class by avoiding unnecessary
23 duplication or excessive effort and costs of the numerous attorneys representing the *Senne*
24 Plaintiffs.

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2
3 DATED: September 2, 2014

LAW OFFICES OF SAMUEL KORNHAUSER

4 and

5 LAW OFFICES OF BRIAN DAVID
6

7
8 By: /s/ Samuel Kornhauser

Samuel Kornhauser

9 Attorneys for Plaintiffs in

10 *Marti, et al. v. Office of the Commissioner*
11 *of Baseball, et al.*, Case No. 3:14-cv-03289-RS
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the forgoing **MARTI PLAINTIFFS' OPPOSITION TO RE-NOTICED MOTION OF SENNE PLAINTIFFS' COUNSEL FOR APPOINTMENT OF INTERIM CO-LEAD CLASS COUNSEL** has been filed electronically with the U.S. District Court, Northern District of California this 2nd day of September, 2014. Notice of this filing will be sent to all parties of record by operation of the Court's electronic filing system.

/s/ Jefferson Lai

Jefferson Lai

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